



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

JAN 15 2016

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-101

CERTIFIED MAIL -- RETURN RECEIPT REQUESTED

EPA WARNING LETTER

Mr. Peter Mutschler
Environment and Safety Manager
CHS Inc.
5500 Cenex Drive, MS305
Inver Grove Heights, Minnesota 55077-1733

Re: Inspection of Risk Management Program (RMP): Additional Areas of Concern
CHS Inc.
1001 North A Street
Grangeville, Idaho
EPA RMP Facility ID# 1000 0002 3583

Dear Mr. Mutschler:

On August 14, 2015, the U.S. Environmental Protection Agency (EPA) conducted an inspection of the CHS Inc., Grangeville facility located at 1001 North A Street, Grangeville, Idaho. The purpose of the inspection was to evaluate compliance with Section 112(r) of the Clean Air Act also known as the Risk Management Program (RMP). The RMP inspection was conducted pursuant to the authorities under Section 112(r) and Section 114 of the Clean Air Act. Listed below are additional areas of concern identified by EPA:

1. **Safety Information:** CHS Inc., failed to ensure codes and standards were used to design, build, and operate the process as required by 40 C.F.R § 68.48(a)(5). During the inspection, EPA inspectors observed no protective barriers to protect the storage tank from vehicle damage (Reference CGA G-2.1-2014, Section 6.7.1, Requirements for the Storage and Handling of Anhydrous Ammonia and OSHA PSM 29 CFR 1910.111(c)(7)).
2. **Safety Information:** CHS Inc. failed to ensure that the process is designed in compliance with recognized and generally accepted good engineering practices as required by 40 C.F.R § 68.48(b). During the inspection, EPA inspectors observed no protective barriers to protect the storage tank from vehicle damage (Reference CGA G-2.1-2014, Section 6.7.1, Requirements for the Storage and Handling of Anhydrous Ammonia and OSHA PSM 29 CFR 1910.111(c)(7)).

Please provide the documentation to substantiate that the areas of concern listed above have been corrected. A copy of the documents must be sent to Javier Morales, RMP Coordinator, within 14 days of your receipt of this letter. The documents may be sent via e-mail, fax or mail.

Javier Morales, RMP Coordinator
U.S. EPA Region 10
1200 Sixth Avenue, Suite 900, OCE-101
Seattle, WA 98101
Fax: (206) 553-0124

Please refer to the document *General Risk Management Program Guidance* for additional information pertaining to the areas of concern addressed above. This guidance document can be found on EPA's website at:

<http://www.epa.gov/rmp/guidance-facilities-risk-management-programs-rmp>

We urge you to take the steps necessary to address these concerns and to ensure that all aspects of your operation are conducted in accordance with all applicable federal, state, and local requirements. If in the future, additional violations are identified and/or corrections to the identified concerns are not made, EPA may proceed with enforcement action. If you have any questions about the inspection or the Risk Management Program, please contact Javier Morales, RMP Coordinator, at (206) 553-1255 or morales.javier@epa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kelly McFadden for".

Kelly McFadden, Manager
Pesticides and Toxics Unit